



# Refine NCLB so No Child is Left Behind

The federal No Child Left Behind Act was created in 2001 to insure that all children in all schools were achieving academic success, including members of every student sub-group. Its goal was to improve the educational outcomes for all children by identifying and penalizing low-performing schools and by employing only highly-qualified teachers. NCLB was to use federal funds to cover the expenses of annual assessments and the services needed for academic intervention

As of September 2006--

	NCLB benefits:	NCLB penalizes:
Students	<ul style="list-style-type: none"> <li>* By attempting to close the gap between subgroups.</li> <li>* By requiring highly qualified teachers for all.</li> </ul>	<ol style="list-style-type: none"> <li>1. By only offering one type of exam (timed, paper and pencil).</li> <li>2. By testing non-English-speaking students after only one year in a school.</li> <li>3. By expecting students with disabilities to perform at the same level as all others.</li> <li>4. By forcing districts to reassign valuable staff to comply with NCLB-mandated report processing requirements, thereby reducing their time spent with students.</li> <li>5. By not recognizing regional differences in ability to recruit and retain "highly qualified" teachers.</li> </ol>
Schools	<ul style="list-style-type: none"> <li>* By providing a level of accountability.</li> </ul>	<ol style="list-style-type: none"> <li>1. By labeling high performing schools as "In Need of Improvement" because of the results for one subgroup.</li> <li>2. By not counting students that graduate a year ahead or a year behind their cohort.</li> <li>3. By requiring that scores of transfer students be included with a school's results after such students have attended the new school for as little as five months.</li> </ol>
Districts	<ul style="list-style-type: none"> <li>* By providing ongoing evaluation.</li> </ul>	<ol style="list-style-type: none"> <li>1. By falling short on the federal promise of funding, leaving districts with high costs for needed materials, scoring the exams, and testing coordination.</li> <li>2. By reducing local control, such as requiring that all students who receive a low score on a mandated test receive regular Academic Intervention Services, rather than allowing districts to best allocate teacher time based on needs.</li> <li>3. By mandating that valuable staff time be taken from helping students and supporting teachers to processing unrelenting reports.</li> <li>4. By making success dependent upon performance of every subgroup, thus leading to less likelihood of Adequate Yearly Progress among more diverse communities of students.</li> </ol>
States	<ul style="list-style-type: none"> <li>* By striving to improve educational outcomes for all students.</li> </ul>	<ol style="list-style-type: none"> <li>1. By mandating rigid sanctions that emphasize punishment and privatization rather than assistance and support.</li> <li>2. By inconsistently granting waivers without publicizing opportunities for all states to apply for them.</li> </ol>

## **WE BELIEVE:**

- ★ The current Adequate Yearly Progress (AYP) formula must be changed from using single high-stakes exams that compare different groups of students to using a value-added model that measures real growth for each student—because while all students can learn, not all learn in the same way and at the same rate.
- ★ Students should be enrolled in a district for at least two years before their schools are sanctioned for their performance on mandated tests.
- ★ Schools should not be penalized for having students who graduate one year before or after their cohort.
- ★ The “School in Need of Improvement” designation must be limited to schools that are truly not succeeding with the aggregate of their students. Casting a broad label of failure over an entire school because of the performance of a small subgroup misleads the public about a school’s effectiveness. While the performance of all subgroups needs to be assessed and plans need to be developed to improve any substandard performance, it is not fair to characterize all for the outcomes of the few.
- ★ The federal government should provide the support it promised to enable all schools to meet higher learning standards. The five-year shortfall currently totals \$31.45 billion and is growing larger each year. In 2006, our region alone was shorted by more than \$230 million.
- ★ Local and state control should be returned. In New York State, districts are required to develop and pass their annual school budgets; they should be able to fully determine how their funds are used to maximize student achievement.
- ★ The scope of NCLB should not be extended until identified deficiencies with the law are resolved.
- ★ The principle of “scientifically proven” must apply to all NCLB assumptions. Research shows that students new to English do not master the language in one year. Scores on English language assessments by students without sufficient time to master the language should not be the reason a school fails to make AYP.